

ANNEXATION ORDINANCE NO. X- 03-95

AN ORDINANCE annexing certain territory commonly known as the North III Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2 and No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A fractional part of the Southeast Quarter of Section 1 and the East Half of Section 12 in Township 31 North, Range 12 East (Washington Township); and part of Section 5, Section 6, Section 7, Section 8 and the Northwest Quarter of Section 18 in Township 31 North, Range 13 East (Saint Joseph Township); and a fractional part of the Southeast Quarter of Section 34 and fractional South Half of Section 35 in Township 32 North, Range 12 East (Perry Township); all in Allen County, Indiana, described as follows:

Beginning at the intersection of the Easterly right-of-way line of Leo Road with the Southeasterly prolongation of the Southerly right-of-way line of Auburn Road as presently established; thence Northwesterly, along said prolongation and the Southerly right-of-way line of Auburn Road being the current City Limits to its intersection with the Westerly right-of-way line of Interstate Highway (I) 69; thence Northeasterly, along said Westerly right-of-way line of I 69 to its intersection with the Northerly boundary of Auburn Farms - Section II; thence Westerly, along said Northerly boundary of Auburn Farms - Section II to the Northwest corner of Lot 67, Auburn Farm - Section II and its intersection with the North line of the South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 7, T31N, R13E, Allen County, Indiana; thence Westerly along said North line and its Westerly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly and Northeasterly along said Westerly right-of-way line of Auburn Road to its intersection with the North line of the Southwest $\frac{1}{4}$ of Section 6, T31N, R13E, Allen County, Indiana; thence Westerly along said North line to its intersection with the East line of the Northeast $\frac{1}{4}$ of Section 1, T31N, R12E, Allen County, Indiana, thence Northerly along said East line of the Northeast $\frac{1}{4}$ of Section 1, to its intersection with the Southerly boundary of Reinig's Suburban Addition, thence Easterly along said Southerly boundary of Reinig's Suburban Addition and its Easterly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly along said Westerly right-of-way line of Auburn Road to its intersection with the Northerly right-of-way line of Dupont Road; thence Easterly along said Northerly right-of-way line of Dupont Road to its intersection with the Westerly right-of-way line of

Diebold Road; thence Southerly and Southeasterly along said Westerly right-of-way line of Diebold Road and its Westerly prolongation of the Diebold Road right-of-way line to its intersection with the centerline of Leo Road; thence Northeasterly along said centerline of Leo Road to a point 39.50 chains Northeasterly from the intersection of the West line of Bouries Reserve with the center line of Leo Road; thence Southeasterly to a concrete corner post described in Deed Record 630 on page 255 in the office of the Recorder of Allen County, Indiana; thence South 17 degrees 40 minutes West to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 and as in file in the office of Honorable City Clerk of Fort Wayne, Indiana; thence Westerly with the meandering of the St. Joseph River and said existing City Limits Line to a point being on the existing City Limits line as established by Annexation Ordinance X-11-79 and as on file in the office of the City Clerk of Fort Wayne, Indiana; thence along said existing City Limits line North 33 degrees 29 minutes 30 seconds East to the next Easterly point on said existing City Limits line; thence continuing along said existing City Limits line North 56 degrees 32 minutes a distance of 700 feet; thence continuing along said City Limits line North 18 degrees West a distance of 800 feet; thence continuing along said City Limits line North 70 degrees West a distance of 1,000 feet to its intersection with the West line of Bouries Reserve; thence continuing along said City Limits line Northerly along the West line of Bouries Reserve a distance of 636 feet to its intersection with the North line of Section 8, T31N, R13E, Allen County, Indiana; thence continuing along said City Limits line Westerly along said North line of Section 8 to the Easterly right-of-way line of Leo Road; thence continuing along said City Limits line Southwesterly along said Easterly right-of-way line of Leo Road to the point of beginning. An area of approximately 1376 acres more or less. (see Exhibit A)

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the

annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Wards No. 2 and No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

1 SECTION 5. That, after adoption and any and all
2 necessary approval by the Mayor, this Ordinance shall
3 be published as provided for in I. C. 36-4-3-7. The
4 above mentioned territory shall become part of the City
5 of Fort Wayne on December 31, 2002.

6
7 
8 COUNCILMEMBER

9 APPROVED AS TO FORM AND LEGALITY

10
11 
12 J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Parrio, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 11-14-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parrio, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>	<u>1</u>		<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY		<u>✓</u>		<u>✓</u>
LONG		<u>✓</u>		
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-19-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 03-95 on the 19th day of December, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of December, 1995, at the hour of 3:00 o'clock P, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of December, 1995, at the hour of 3:30 o'clock P, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. X-95-11-09

REPORT OF THE COMMITTEE ON
REGULATIONS
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory
commonly known as the North III Annexation Area to Fort Wayne and
including the same in Councilmanic District No. 3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

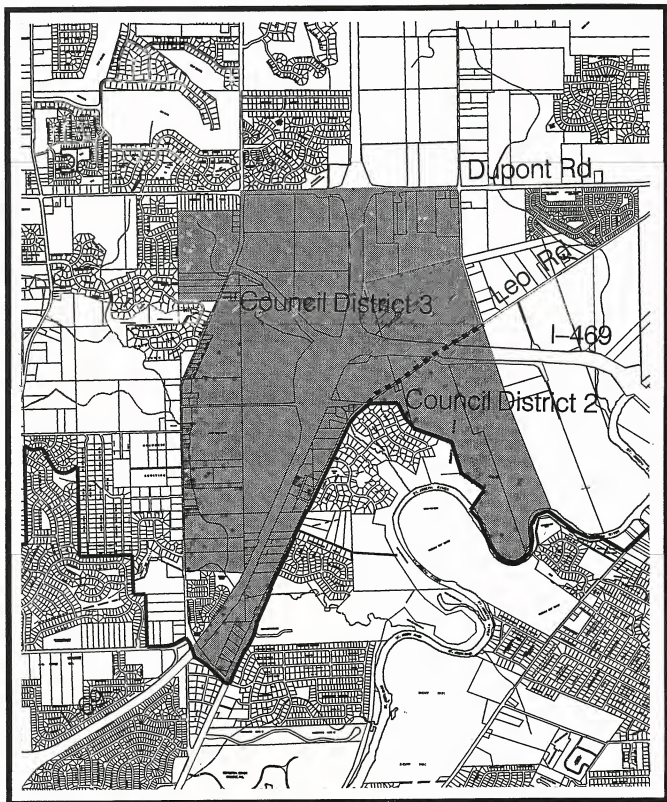
NO REC

<i>Sant Jalarico</i>			
<i>OSL</i>			
<i>Shredbury</i>			
<i>Walter Thayer</i>			
<i>Walter R. Edmonds</i>			

DATED: 12-19-95.

Sandra E. Kennedy
City Clerk

Exhibit A



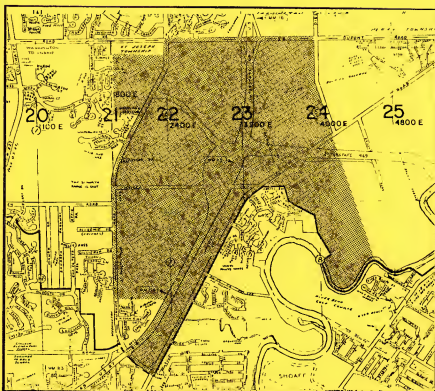
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

November 1995

North III
Annexation

COMMUNITY & ECONOMIC
C&ED
DEVELOPMENT



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

W. Gregg LaMar
Director
Division of Community and Economic Development

Gary Stair
Director of Planning

Fort Wayne City Plan Commission
Mel Smith, President
Ernest Evans, Vice President
Carol Kettler Sharp, Secretary
Linda Buskirk
Jim Hoch
Thomas Quirk
David Ross
Don Schmidt
Vicky VerPlanck

RESEARCH AND PREPARATION

Pamela Holocher, Senior Planner
Lisa Minnick, Planner II

INTRODUCTION

Since its inception, the City of Fort Wayne has been annexing land adjacent to its corporate limits. The North III Annexation is a logical continuance of this policy.

This Fiscal Plan, which is required by State Annexation Law, explains why the North III Annexation area meets the state law requirements for annexation. Also, this plan gives basic data regarding the area, describes the services which will be furnished to the area upon annexation by the City, and summarizes the fiscal impact of annexation upon the City.

Although much of the land within the North III Annexation area is currently vacant, it is anticipated that a great deal of this land will be developed in the future. The City of Fort Wayne has had several inquiries regarding the extension of water lines throughout this area. Much of this inquiry is for the area surrounding I-469.

TABLE OF CONTENTS

INTRODUCTION	i
TABLE OF CONTENTS	ii
SECTION I: BASIC DATA	
A. Location	1
B. Size	1
C. Population	1
D. Buildings	1
E. Patterns of Land Use	3
F. Zoning	3
G. Topography	3
H. Assessment	5
I. Net Tax Rate	5
J. Council District	5
K. Selected Area Within Corporate Boundaries With Similar Topography, Patterns of Land Use and Population Density	5
SECTION II: THE COMPREHENSIVE ANNEXATION POLICY	
SECTION III: STATE LAW REQUIREMENTS	
A. Introduction	9
B. Twenty-five Percent Contiguous	9
C. Conclusion	16
SECTION IV: MUNICIPAL SERVICES	
A. Police	17
B. Fire	18
C. Emergency Ambulance Service	18
D. Solid Waste Disposal	19
E. Traffic Control	20
F. Streets and Roads	20
G. Parks and Recreation	21
H. Water	21
I. Fire Hydrants	21
J. Sanitary Sewer	22
K. Storm Sewers	22
L. Street Lighting	22

M.	Animal Control	23
N.	Administrative Services	24
SECTION V: PLAN FOR HIRING GOVERNMENTAL EMPLOYEES		25
SECTION VI: FINANCIAL SUMMARY AND RECOMMENDATION		
A.	Revenues	26
B.	Expenditures	27
C.	Five Year Summary	28
D.	Recommendation	29
Appendix: North III Annexation Legal Description		30

SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located north of the City of Fort Wayne and is generally bounded on the south by the current City Limits, on the east by lot # 2 of Bouries Reserve and the west right-of-way line of Diebold Road, on the north by the north right-of-way line of Dupont Road, and on the west by the east and south lines of Reinigs Subdivision Addition, the east lines of Windmill Ridge and Woodland Lakes, the west right-of-way line of Auburn Road, and the north and east lines of Auburn Farms Subdivision. (see Figure 1).

B. SIZE

The North III Annexation Area contains approximately 1,376 acres.

C. POPULATION

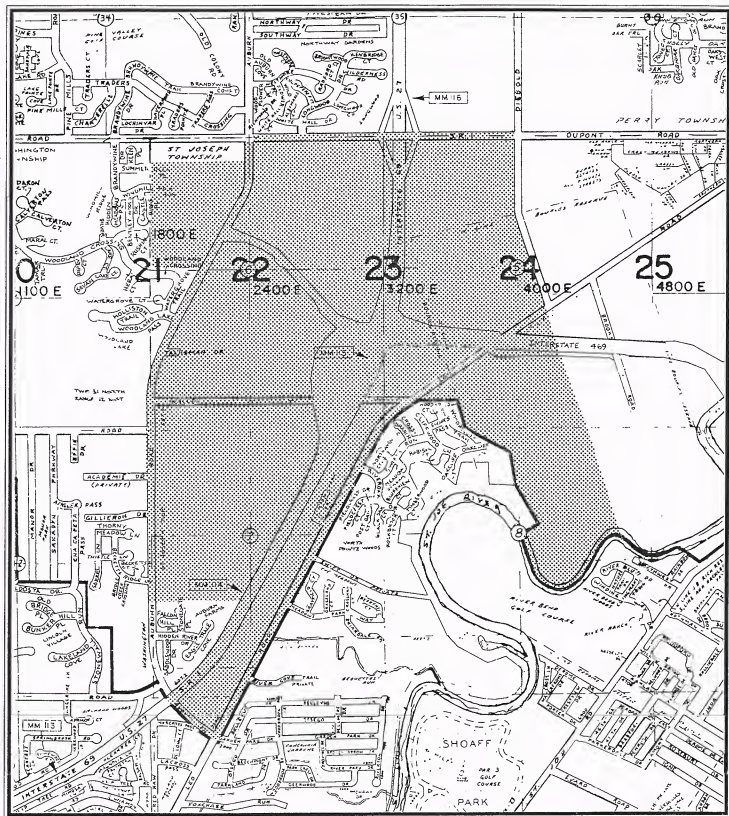
Block statistics from the 1990 U.S. Census of Population and Housing indicate that 187 persons resided in the North III Annexation area in 1990. This population figure was based upon strict computation of census data using only entire block groups within the area. Any block group with split boundaries was not figured in the above total. Current population for the annexation area is estimated to be 191 persons. This figure was derived by multiplying the current number of households in the area by the persons per unit figure in the 1990 Census of Population and Housing.

D. BUILDINGS

Single Family	67 structures
Commercial	8 structures
Industrial	9 structures
Institutional	1 structure (vacant)

Figure 1

NORTH III ANNEXATION



LOCATION

E. PATTERNS OF LAND USE

	<u>Acres</u>	<u>Percent</u>
Vacant/Open Space	667.4	48.5%
Right-of-way	234.7	17.1%
Single Family Residential	183.8	13.4%
Utility	98.1	7.1%
Agriculture	81.3	5.9%
Commercial	45.8	3.3%
Institutional	40.4	2.9%
Industrial	<u>24.5</u>	<u>1.8%</u>
	1,376	100%

F. ZONING

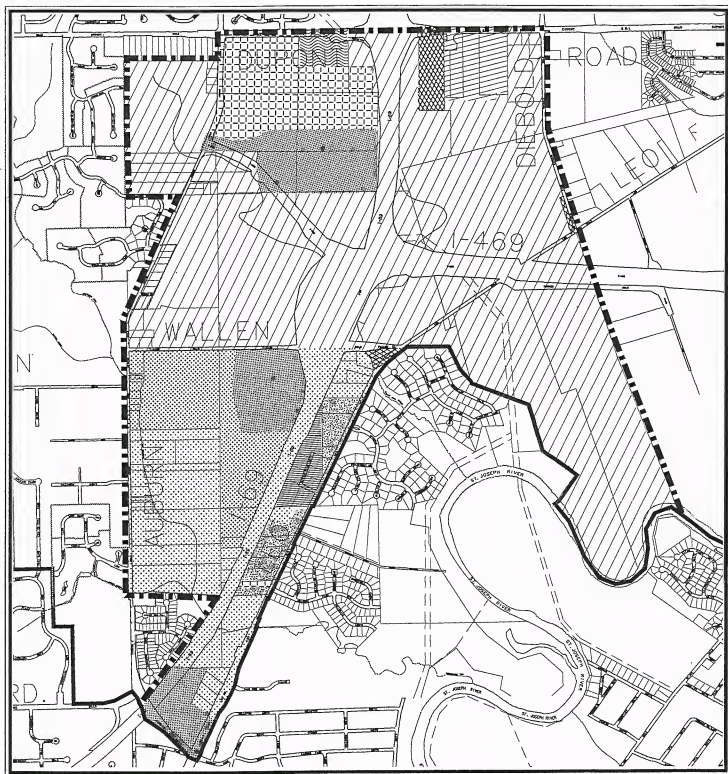
The North III Annexation area currently contains ten zoning classifications (see Figure 2). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

<u>County Zoning Classification</u>	<u>City Zoning Classification</u>
A3 Estates	RA Residence, District A
C1A Professional and Personal Services	B1B Limited Business District B
C1A(P) Planned Professional and Personal Services	B1A Limited Business District A
C3(P) Planned General Commercial	B3B General Business District
C4 Roadside Commercial	B4 Roadside Business
C5 Commercial Interchange	IA Interchange Access Ctr. District
I1 Light Industrial	M1 Light Industrial District
I1(P) Planned Light Industrial	M1 Light Industrial District
RS1 Suburban Residential	R1 Single Family Residential District
RSP3 Planned Multiple Family	R3 Multiple Family Residential District

G. TOPOGRAPHY

The North III Annexation area contains the following soils: Blount silt loam (BmA, BmB, BmB2), Carlisle muck (Ca), Eel silt loam (Es), Martinsville loam (MeB), Morley silt loam (MrB, MrB2, MrC2), Morley soils (MsB3, MsC2, MsD3, MsE3), Pewamo silty clay loam (Pe), Rennselaer loam (Rm), Rawsom loam (R1C2), Wallkill silty clay loam (We), Washtenaw silt loam

Figure 2
NORTH III ANNEXATION



ZONING

	I-1(P) Planned Light Industrial		A-3 Estate
	I-1 Light Industrial		C-1A Professional & Personal Service
	RS-1 Suburban Residential		C-3 (P) Planned General Commercial
	RSP-1 Planned Suburban Residential		C-4 Roadside Commercial
	RSP-3 Planned Multi-Family		C-5 Commercial Interchange

(Wh), Barrow pits (Bp), and Gravel pits (Gp). It has been determined by using the U.S. Geological Survey maps that this area is predominately level to nearly level (0 to 2 percent), and gently sloping (up to 5 percent) along the river and ditches.

H. ASSESSMENT

\$ 5,193,960

I. NET TAX RATE: (1994 payable 1995 rates)

Existing: (St. Joseph)	\$ 6.498679
After annexation:	\$ 9.058791
Increase:	\$ 2.560112 (39.4% increase)

Existing: (St. Joseph PTC)	\$ 6.597661
After annexation:	\$ 9.058791
Increase:	\$ 2.46113 (37.3% increase)

J. COUNCIL DISTRICT

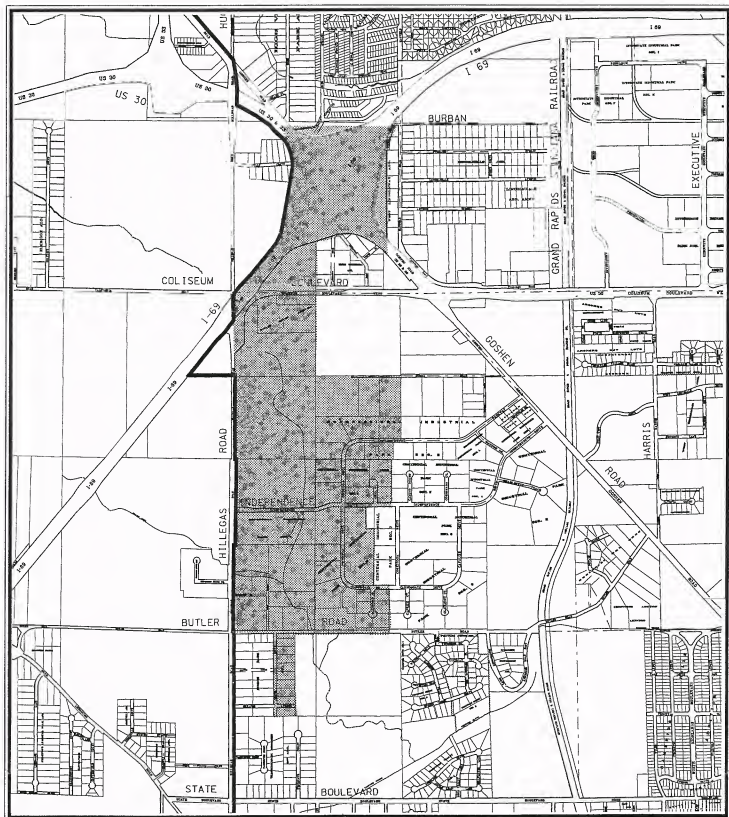
The North III Annexation area will be in City Council District 2 and 3, subject to any later statutorily-required reapportionment.

K. SELECTED AREA(S) WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE AND POPULATION DENSITY

As the City has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use and population density to the North III annexation area is the Hillegas Road area (see Figure 3).

Figure 3

HILLEGAS ROAD AREA



COMPARABLE AREA

North III
Annexation Area

Hillegas Road Area

Topography: Predominately 0 to 2 % slope

0 to 2 % slope,

Patterns of
Land Use:

Predominately vacant and
right-of-way with residential,
commercial, and industrial.

Predominately vacant and
right-of-way with residential,
commercial, and industrial

Population
Density:

.14 persons per acre

.15 persons per acre

No areas within the City with similar topography, patterns of land use, and population density as the North III Annexation area are receiving services higher in standard or greater in scope than those services promised to the North III Annexation area.

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the North III area is part of a larger comprehensive annexation program prepared by the Department of Community Development and Planning, which was promulgated in a report in 1975 and which was consequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the North III area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with state law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. However, the municipality must meet the guidelines for only one of the options. The two options are:

1. The area must be at least one-eighth contiguous (12.5%) to the municipality and meet at least one of the following three conditions:
 - a. have a population density of at least three persons per acre;
 - b. be zoned for commercial, business, or industrial uses;
 - c. be at least sixty percent (60%) subdivided;
2. The area must be at least one-fourth contiguous (25%) to the municipality and the municipality must show that the area is needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, along with the methods used to finance such services.

The North III Annexation area meets the second option that has been established to determine the validity of annexations. The remainder of this section will explain how the North III Annexation meets the second annexation test in accordance with State Statute.

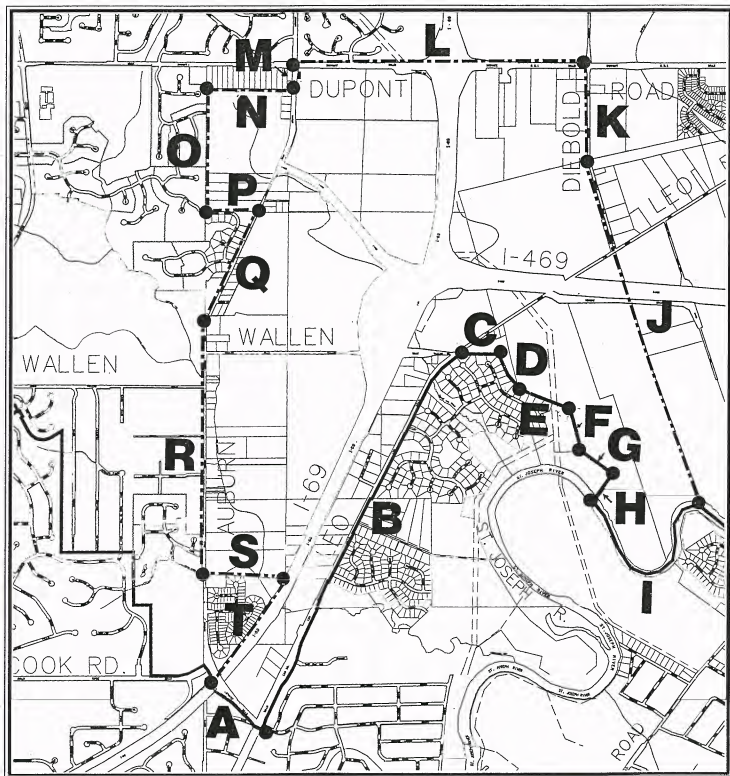
B. TWENTY-FIVE PERCENT CONTIGUOUS

Figure 4 illustrates the length of the external boundaries of the annexation area. As can be seen, 35% of the annexation areas boundaries are contiguous to the City of Fort Wayne. Therefore, this annexation easily meets the 25% contiguity requirements mandated by State Statute.

As mentioned in the introduction, if the annexation is at least one-fourth contiguous to the municipality and is needed for future development, it can be annexed. As will be explained, the

Figure 4

NORTH III ANNEXATION



CONTIGUITY

CONTIGUOUS

A. 1332'	F. 803'
B. 7868'	G. 694'
C. 688'	H. 613'
D. 732'	I. 2217'
E. 1001'	

Total 15948' (35%)

NON-CONTIGUOUS - - - - -

J. 6660'	N. 1547'	R. 4610'
K. 1763'	O. 2222'	S. 1502'
L. 5333'	P. 938'	T. 2250'
M. 491'	Q. 2301'	

Total 45562' (65%)

North III Annexation meets this requirement and is needed for the following reasons:

1. Fort Wayne Growth; and
2. More Efficient Service Provision; and
3. Planning Control

1. Fort Wayne Growth

♦ Suburban Migration

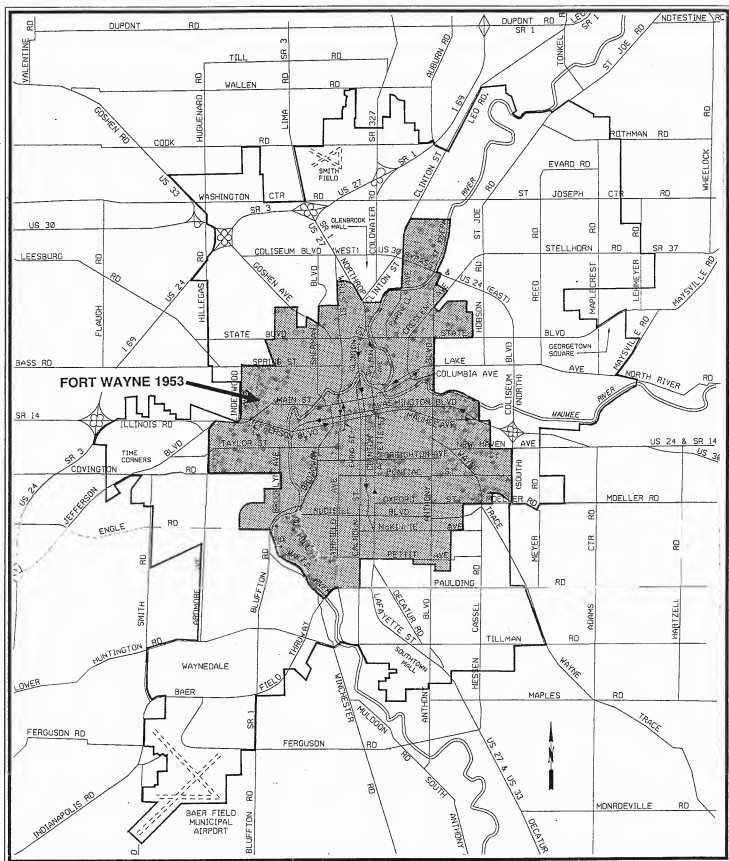
One of the most serious problems confronting metropolitan areas such as Fort Wayne is finding ways to maintain urban services at acceptable levels in an environment where service costs continue to rise more rapidly than tax revenues. Inflationary pressures push up the cost of providing services, while suburban migration reduces the City's tax base. While everyone in the metropolitan area benefits from a healthy central city and its facilities and services, not everyone bears an equitable share of the cost.

Since the early 1950s, Fort Wayne has had an aggressive annexation policy. The City's annexation policy has kept its population relatively stagnant as a considerable amount of suburban migration has occurred over the years. The U.S. Census reported a 1970, Fort Wayne population of 177,671, while the City's 1990, population was over 173,072 persons and adjusted 1992 population was 184,221. Had the City not annexed the 21,122 persons it did between the years 1970 and 1990 the City's population and tax base would have dropped substantially.

While the City's aggressive annexation policy has kept the population relatively static over the past two decades, the physical size of the City has increased dramatically. In 1950, the City contained 18.57 square miles, in 1970, 46.2 square miles and in 1990, 65.27 square miles. As the size has increased the population density has greatly decreased. In 1950, there were 7,195 persons per square mile, while in 1990, there were 2,644 persons per square mile. Although, annexation has kept the tax base relatively static over the past twenty years, the decreased population density has increased the cost to provide urban services in an equitable manner to all areas within City boundaries.

If Fort Wayne had not annexed any territory since 1953, the City would have lost 43,557 persons or 32.4 percent of its population. It is easy to imagine how difficult it would be for the City to provide services to the poorest sector of the community with this deteriorated tax base (see Figure 5). It is also obvious to see why the City needs to continue to implement an aggressive annexation policy if it desires to remain a healthy community.

CITY OF FORT WAYNE GROWTH SINCE 1953



The 1990 census also points out those metropolitan communities in the nation that have fared well since the last census and those which have not. According to David Rusk, an expert on cities who authored "Cities without Suburbs," of the 200 largest metropolitan areas, approximately two thirds have the same characteristics - poor minority populations living in the core of inner cities with suburban white suburbs surrounding those areas, the number of jobs declining in the central cities and increasing in suburban areas, and city incomes dropping and suburban incomes increasing. Of the sixty metropolitan areas in the country that have significantly lower levels of economic and racial disparity, most are cities without suburbs - cities that have aggressively annexed emerging suburbs. In these cities, most of the metropolitan population resides in the corporate boundaries, and pay taxes to the city. The incomes of these residents are 113 percent of those of the urbanites. Unless metropolitan areas can share the tax burden which maintains their cities - cities such as Fort Wayne will begin or continue to deteriorate.

Compounding the problems created by the migration of significant numbers of the population to the suburbs is the fact that the City is shouldering a disproportionate share of the metropolitan area's social problems. This fact is clearly shown in Table 1 on page 13. For example, the City with 58 percent of the County's population in 1990, had 83 percent of all families in Allen County with incomes less than poverty level. In addition, 82 percent of all Allen County elderly persons resided in the City in 1990.

♦ Tax Equity

Evidence suggests that not only do city residents pay higher taxes because they support disproportionate numbers of the economically disadvantaged, but they pay higher taxes because they are also subsidizing a large segment of the suburban population. The situation that prevails is not only unfair to city residents but is detrimental to the City as a whole. Money that is spent on services used by non-City residents could be spent improving Fort Wayne's infrastructure, facilities, or amenities.

Although it is difficult to document the exact extent of the subsidization taking place, it is clear that every day large numbers of suburban residents consume significant quantities of police, fire, park, animal control and street services from the City of Fort Wayne while not paying their fair share. For example, a random examination of the traffic accident reports prepared by the Fort Wayne Police Department for the month of December, 1991, shows that the department responded to 839 accidents within the City. Out of these 839 accidents, 285 involved non-City residents. Thus, thirty-four percent of the accident runs made by the Fort Wayne Police Department in this month were made to assist persons not living in the City of Fort Wayne, nor paying taxes to support the police department. It is worth noting that the budget of the Police Department is comprised primarily of funds received from the City's General Fund. City residents pay \$1.49 per every \$100 of assessed property valuation for this

Table 1

FORT WAYNE/ALLEN COUNTY
SOCIOECONOMIC CHARACTERISTICS

FORT WAYNE		ALLEN COUNTY (excluding F.W.)	TOTAL ALLEN COUNTY
POPULATION			
1970	177,671 (63.4%)	102,784 (36.6%)	280,455
1980	172,196 (58.5%)	122,139 (41.5%)	294,335
1990	173,072 (57.5%)	127,764 (42.5%)	300,836
ELDERLY POPULATION (65+)			
1970	18,240 (76.4%)	5,634 (23.6%)	23,874
1980	20,479 (72.9%)	7,595 (27.1%)	28,074
1990	23,031 (82.2%)	11,033 (32.3%)	34,124
MEDIAN FAMILY INCOME			
1970	\$10,401	\$12,627	
1980	\$19,580	\$25,777	\$22,160
1990	\$31,981		\$37,866
FAMILIES WITH FEMALE HEAD OF HOUSEHOLD			
1970	5,201 (81.8%)	1,154 (18.2%)	6,355
1980	11,802 (81.6%)	2,655 (18.4%)	14,457
1990	23,993 (77.6%)	6,943 (22.4%)	30,936
FAMILIES WITH INCOMES LESS THAN POVERTY LEVEL			
1970	2,750 (76.8%)	833 (23.2%)	3,583
1980	3,756 (78.7%)	1,019 (21.3%)	4,775
1990	3,662 (82.5%)	778 (17.5%)	4,440

Source: General and Economic Characteristics, Indiana (1970),
Bureau of the Census.

Census of Population and Housing, Indiana (1980),
U. S. Bureau of the Census.

Census of Population and Housing, Indiana (1990),
U. S. Bureau of the Census.

fund, whereas residents of the unincorporated portion of the county do not contribute to this fund unless they also own property within the corporate boundaries of the City.

The fact that suburban residents utilize such a large amount of the City's police service may surprise some people, particularly those residents who claim they never use City services. On the other hand, these same people may argue that City residents utilize county services without paying their fair share. However, City residents do pay county taxes which help support all county services and facilities.

Fort Wayne's various park and recreational facilities and special activities such as basketball courts, baseball diamonds, tennis courts, playground facilities, concerts, and rose walks attract people from all over Allen County. However, only City residents pay the tax of .3602 cents per every \$100 of assessed valuation so that everyone can continue to enjoy the City's park system. Until recently, out-of-City residents paid no extra charge for participating in any park activities. The obvious dilemma faced by the City is how to charge non-City residents for their use of City services. Various departments within City government have begun investigating ways to charge county residents in non-incorporated areas for the services that they use. But, the City is still a long way from developing a system whereby residents in unincorporated areas are paying their fair share.

2. More Efficient Service Provision

The North III Annexation area is also needed so that the City can provide services more efficiently. The annexation of this area will improve the delivery of services by allowing the City to take advantage of economies of scale. If, for example, Fort Wayne invests in a fire station, a truck, and the staff necessary to respond to a fire 24 hours a day, it is most efficient to utilize these resources to the fullest capacity. Therefore, if such a hypothetical station has a range of response of two miles in all directions and if the station is not utilizing all areas within that range, the station is being underutilized. In fact, many other City service departments have indicated that they can provide services to this annexation area with no increase in staff and minimal increases in expenditures.

Therefore, the annexation of this area will enable City departments to utilize their excess capacity, as well as reduce the cost of services for thousands of Fort Wayne residents who are presently paying for this excess capacity.

3. Planning Control

The North III Annexation area is also needed by Fort Wayne so that it will have planning and zoning control over the area. This is important because the City, being an urban area, has planning and zoning standards which are more attuned to urban areas which are adjacent to the

City. On the other hand, the County, which has large amounts of agricultural land, has standards which are more attuned to a rural lifestyle.

It makes sense to have distinct standards for urban and rural uses. What does not make sense is to allow areas which are within the urban service area of Fort Wayne, as stated in the Comprehensive Plan, and are prime targets for annexation to be regulated by standards which do not mesh well with the City's zoning and subdivision regulations.

C. CONCLUSION

The North III Annexation area should be annexed into the City of Fort Wayne because it satisfies the requirements that have been established by the State Legislature: the annexation area is more than one-fourth contiguous to the City of Fort Wayne and is needed for future growth and development.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the North III Annexation area. The plan also describes how and when the City plans to extend the services which are non-capital and capital in nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the North III Annexation area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including but not limited to the Hillegas Road area.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Upon annexation, the North III Annexation area will be incorporated into Police District "A" north and west of Leo Road and Police District "B" south of Leo Road. The Police Department keeps tabulations on the amount of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel and equipment are not required for this particular annexation.

The cost to provide protection to the annexation area will be approximately \$9,260 per year. This cost is based on a patrolman's average hourly rate of \$21.54 multiplied by an estimated 45 minutes spent per call. This amount is then multiplied by the estimated number of calls (546 per

year) for service to this area. This total, which equals \$8,820, is the direct personnel cost. A small non-personnel cost of 5 percent is then added to the above total. This gives the overall cost of approximately \$9,260 annually to service the annexation area. Funding for police services in the annexation area will come from the Civil City budget of the Police Department which is derived primarily from local property taxes through the General Fund.

CAPITAL COST:	\$ 0
ESTIMATED ANNUAL COST:	\$ 9,260

B. FIRE PROTECTION

The Fort Wayne Fire Department will be responsible for providing fire protection services to the North III Annexation area immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, fire prevention and fire inspection, EMS support response on life hazards, hydrant maintenance, and public education.

It is estimated that there will be approximately 50 calls for service to this area. Most of these runs will be made to the Dupont Medical Center. The average operating cost per run in 1994 was \$1,058. Therefore, the Fire Department will incur costs of approximately \$52,900 a year to provide protection to this area.

Primary response for fire protection in the North III Annexation area will come from Station # 13 at 6727 North Clinton St. and a new station proposed in the North II Annexation area. This new station is scheduled to be built by the year 2002. The existing station has one class "A" pumper and other support equipment. Secondary response will be provided by Station # 8, Station # 10, or Station # 6. All stations have at least one class "A" pumper. The department reserves the right to increase, decrease, and locate additional equipment as necessary to perform the mission of the department.

CAPITAL COST:	\$ 0
ESTIMATED ANNUAL COST:	\$ 52,900

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the provider of ambulance service for the City. Properties in the North III Annexation area will receive full advanced life support ambulance service immediately upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. For some emergencies, such as heart attacks, the Fort Wayne Fire

Department will provide extra assistance. Primary assistance will come from Station # 13 and a newly constructed station proposed for the North II annexation. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, fire fighters are able to administer medical treatment before the ambulance arrives.

The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown below:

Table 2

1. \$120 plus \$5 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$170 plus \$5 per loaded mile for non-scheduled non-emergency transfers
3. \$380 plus \$7.50 for emergencies for all City and non-City residents plus a \$30 fee for emergency response.

This method of financing permits service to be extended to the annexation area with its existing budget. No additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$ 0

D. SOLID WASTE DISPOSAL

The Solid Waste Department oversees the collection of garbage, yard waste, and non-freon white goods, and the curbside recycling program. These services are provided by the City through a contract with National Serv-all, Browning-Ferris Industries, and Appliance Recycling Centers of America, Inc. (ARCA). Currently, this service is paid for through a \$6.50 per month user fee per single family household.

In addition, the Solid Waste Department oversees the composting program at 5510 Lake Avenue. Residents of the annexation area will be able to take up to 1/2 ton of yard waste to the composting site at no charge. The City also contracts with Appliance Recycling Centers of America, Inc. (ARCA) to pick up illegally dumped freon appliances. Residents will be able to contact ARCA for collection and recycling of their freon appliances for \$35.00 per appliance.

These services will be available to residents of the annexation area immediately upon annexation. It will not be necessary to hire additional personnel or purchase additional equipment to provide these services.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately upon the effective date of annexation. Some of the services that are provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

The City's Traffic Engineering Department will not require any additional personnel to perform its services in the North III Annexation area. There will be an annual cost of \$4,690 for the painting of 70,000 feet of center line and edge line along streets within the annexation area and an additional \$4,416 for the maintenance and operating costs of existing signals. Funding sources will come from property taxes and Local Roads and Streets (LR&S) funds.

CAPITAL COST:	\$ 0
ESTIMATED ANNUAL COST:	\$ 9,106

F. STREETS AND ROADS

The incorporation of the North III Annexation area will add 7.76 miles of streets to the City's street system. Of this total there are 2.93 miles of arterial streets, and 2.84 miles of collector streets, and 1.99 miles of state highway. All streets are in good condition with the exception of .84 miles of collector street.

The Fort Wayne Street Department will be responsible for the general maintenance of all arterial and collector streets within the annexation area immediately after the annexation. General maintenance includes snow and ice removal, street sweeping, minor ditch maintenance, right-of-way mowing, leaf pick-up, guard rail repair, and surface maintenance. The Street Engineering Department will also provide engineering services and construction supervision for streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services will require the addition of a fully equipped, five ton dump truck at a cost of \$60,000. This dump truck will be financed through an equipment lease at an estimated 7 percent interest rate extended over five years.

Operating, material, and maintenance costs will be approximately \$4,800 for the first year. However, this cost will increase each year by approximately fourteen percent due to increased repair costs as the vehicle gets older. The cost tends to level off at approximately \$7,500 per year after the fifth year. The source of funding for street maintenance is the Street Department budget which is composed of funds from the Motor Vehicle Highway (MVH) program. The Street Engineering Department funds come from MVH and Local Roads and Streets (LR&S) programs.

CAPITAL COST: \$ 60,000
ESTIMATED ANNUAL COST: \$ 4,800 (increasing by 14% each year for five years)

G. PARKS AND RECREATION

Residents of the proposed annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. Other recreational activities including day camp, athletic leagues, youth sports, senior citizen activities, special events, cultural arts, and instructional programs are currently available to all City residents. Most of these services are offered on a fee for service basis, with non-residents paying a higher fee. Once annexed, the residents of the North III area would pay the resident fee.

Due to the proximity of Shoaff Park, there is no need for additional open space in the North III Annexation area at this time. Shoaff Park, a 169 acre community park, has athletic fields and courts, playground equipment, picnicking and pavilion facilities, fishing, and an 18 hole golf course.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

H. WATER

The Fort Wayne Water Utility is presently serving a portion of the North III Annexation area. When the area is annexed into the City, the property owners who are using the City of Fort Wayne Utility system will no longer have to pay the out-of-city rate. The extension of water services to individual developments will be considered once the property owners in the area petition for such services. The property owners must also finance the cost of installation on either a cash basis, or with a mechanism similar to Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten year period.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$284.74 annually for each hydrant located within the City. The money the City will pay the Water Utility for hydrant maintenance will be taken from the General Fund.

Currently the North III Annexation area contains 17 fire hydrants. Therefore, the City will pay the Water Utility approximately \$4,840 per year after the area is annexed.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 4,840

J. SANITARY SEWERS

Presently, the Fort Wayne Department of Water Pollution Control (WPC) provides sanitary sewers to portions of the North III Annexation area. The Water Pollution Control Department will provide engineering services as needed for additional sanitary sewers. If additional sanitary sewer service is desired, the City's Water Pollution Control Department has the capability to provide this service. However, residents will first have to petition to the Board of Public Works. Residents will also have to pay for such a service. Upon annexation, residents will be able to take advantage of the Barrett Bonding process which permits residents to make long-term, low interest payments for their sewers.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

K. STORM SEWERS

Upon annexation, the Stormwater Utility will review existing stormwater systems and determine what level of maintenance, repair, replacement, or new construction is required. Citizen petition for capital improvements will be reviewed upon receipt and when funds are available, the Stormwater Utility will act to implement any improvements. Certain storm drainage improvements may be funded from the City's Storm Water Utility. Emergency and routine maintenance of public drainage systems which are up to City standards will be the responsibility of the City's Sewer Maintenance Department after annexation. The source of revenue City Utilities utilizes for providing these services will be user fees.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits to reduce night accidents, facilitate traffic flow, aid police protection, and inspire community spirit and growth. Therefore, the City will place city-standard street lights at all intersections within the North III Annexation area that do not have them. In order to expedite

the installation of street lights, residents should petition the Street Lighting Department. The City will pay the construction costs for the installation of city-standard lighting with overhead wiring at the unlit intersections where residents desire this type of lighting.

These capital costs will be funded predominately from the General Fund. Operating costs will be paid by the City through the regular department budget. Any additional mid-block lighting or underground wiring must be petitioned by residents involved, per state statute. The residents would be assessed the cost of such installation.

In addition to constructing street lights at unlit intersections within the annexation area, the City, immediately upon annexation, will purchase existing lights currently being rented from Indiana Michigan Power Company that are located within public right-of-ways. The energy and maintenance cost will become the responsibility of the City of Fort Wayne. If existing lighting within neighborhoods becomes damaged, the City will replace these fixtures with city standard lighting. The City will also pay the energy costs of these lights.

The Street Light Engineering Department has determined that there are currently five existing lights within this area to be annexed. The City will purchase and upgrade these lights at a cost of approximately \$4,000. Operating and maintenance cost for the existing lights within the North III area will amount to \$460 per year. The City will also construct three additional intersection lights. The total cost for installation of the new lights will amount to approximately \$3,000. It is assumed that the three new intersection lights will be constructed in the third year and operating and maintenance costs will be computed as an annual operating cost from that year on. Operating and maintenance costs for these lights will amount to \$276 per year.

CAPITAL COSTS:	\$ 4,000 (first year)
ESTIMATED ANNUAL COST:	\$ 460 (first and second year)
CAPITAL COSTS:	\$ 3,000 (third year)
ESTIMATED ANNUAL COST:	\$ 736 (third year on)

M. ANIMAL CONTROL

The Fort Wayne Department of Animal Control will provide various services to the North III Annexation area immediately upon the effective date of annexation. The services this department will provide include, but are not limited to, the sheltering of stray animals, response to animal complaints and emergencies, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane education program.

It was determined by the Animal Control Department that the projected operating cost per year will total \$290, which includes the cost to handle animals, calls for service, and gasoline costs. The number of existing field and animal care staff are capable of handling the additional work load presented by this area. Therefore, no additional officers will be required. It should be noted, however, that the Fort Wayne Department of Animal Control anticipates generating income

from the North III Annexation area from permit sales. The department expects to generate annual revenues of approximately \$85. The revenues will partially offset annual operating costs.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 290

N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the North III Annexation area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that due to the annexation of the North III area, any governmental employees will be eliminated from other governmental agencies. However, if any governmental employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed North III Annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the North III Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the St. Joseph Township Assessor. The formula for computing tax revenue is shown in the following table:

Table 3

TAX REVENUE FORMULA

$$\frac{V-E}{100} (T) = TR$$

WHERE: V = Assessed Valuation
E = Home Mortgage and Homestead Exemption (\$3,000)
T = City Tax Rate
TR = Tax Return

The total assessed valuation of the North III Annexation is \$5,193,960. The home mortgage and homestead exemptions are deducted from the total. There are 67 properties eligible for these \$3,000 deductions. Therefore, the total taxable assessed valuation becomes \$4,992,960. Property tax for 1995 can then be determined by applying the City tax rate (3.2962) to this figure giving a total property tax revenue of \$164,578. Table 5 details the components of this tax rate. Using a 4.0 percent rate of inflation, the property tax revenue for 2004, the first year that taxes would be due in the North III Annexation area, would be \$234,246. A portion of this revenue would be supplied from the State Property Tax Relief Fund.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Roads and Streets (LR&S) Funds. This is because these funds are allocated according to street miles. In 1994 the City received \$8,148 per street mile from the MVH Fund and \$2,939 from the LR&S Fund. The annexation area will add 7.76 miles to the City's street system. Therefore, the City will receive an additional \$63,228 from MVH and an additional \$22,807 from LR&S because of the North III Annexation.

Table 4

TAXING DISTRICT RATE

Corporation General	\$1.4916
Corporation Debt Service	.1976
Firemen Pension	.1638
Policemen Pension	.1819
Sanitary Officers Pension	.0135
Fire	.8713
Park General	.3602
Redevelopment General	.0158
Community Service	<u>.0005</u>
	\$3.2962

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, the County Option Income Tax (COIT), the County Economic Development Income Tax (CEDIT), and the Alcoholic Beverage Tax. Some of these grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the North III Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 5. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects, such as construction of streets, curbs, and sidewalks, must follow routine city procedures which often require petitioning.

On the following page, Table 5 details the costs that will be incurred by each department upon the annexation of the North III Area.

Table 5

EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	0	9,260
Fire Department	0	52,900
EMS	0	0
Solid Waste Disposal	0	0
Traffic Control	0	9,106
Streets	60,000	4,800
Parks	0	0
Water	0	0
Fire Hydrants	0	4,840
Sanitary Sewer	0	0
Storm Sewer	0	0
Street Lighting	7,000	736
Animal Control	0	290
Administrative Functions	<u>0</u>	<u>0</u>
TOTALS	67,000	82,392

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the North III Annexation area for the first five years after it is incorporated into the City of Fort Wayne. The summary automatically includes for each of the five years a 4 percent inflation factor for capital expenditures and operating costs, and a 4 percent increase factor for City revenues.

Property tax revenue from the annexation area will not be collected until 2004. Assuming the area is annexed in December of 2002, assessment will occur in March of 2003, with revenues being collected in 2004. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$135,987 in 2003. On the following page, Table 6 details the revenues minus the expenses for the North III area for a 5 year period.

Table 6

REVENUES MINUS EXPENSES

<u>YEAR</u>	<u>PROPERTY EXPENDITURES</u>	<u>TAX REVENUE</u>	<u>MVH & LR&S</u>	<u>BALANCE</u>
2003	\$ 135,987	\$	\$	\$-135,987
2004	135,638	234,246	86,035	184,643
2005	145,914	243,616	86,035	183,737
2006	147,235	253,360	86,035	192,160
2007	<u>143,966</u>	<u>263,495</u>	<u>86,035</u>	<u>205,564</u>
	708,740	994,717	344,140	630,117

D. RECOMMENDATIONS

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the North III Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 2002.

NORTH III ANNEXATION LEGAL DESCRIPTION

A fractional part of the Southeast Quarter of Section 1 and the East Half of Section 12 in Township 31 North, Range 12 East (Washington Township); and part of Section 5, Section 6, Section 7, Section 8 and the Northwest Quarter of Section 18 in Township 31 North, Range 13 East (Saint Joseph Township); and a fractional part of the Southeast Quarter of Section 34 and fractional South Half of Section 35 in Township 32 North, Range 12 East (Perry Township); all in Allen County, Indiana, described as follows:

Beginning at the intersection of the Easterly right-of-way line of Leo Road with the Southeasterly prolongation of the Southerly right-of-way line of Auburn Road as presently established; thence Northwesterly, along said prolongation and the Southerly right-of-way line of Auburn Road being the current City Limits to its intersection with the Westerly right-of-way line of Interstate Highway (I) 69; thence Northeasterly, along said Westerly right-of-way line of I 69 to its intersection with the Northerly boundary of Auburn Farms - Section II; thence Westerly, along said Northerly boundary of Auburn Farms - Section II to the Northwest corner of Lot 67, Auburn Farm - Section II and its intersection with the North line of the South ½ of the Southwest 1/4 of Section 7, T31N, R13E, Allen County, Indiana; thence Westerly along said North line and its Westerly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly and Northeasterly along said Westerly right-of-way line of Auburn Road to its intersection with the North line of the Southwest 1/4 of Section 6, T31N, R13E, Allen County, Indiana; thence Westerly along said North line to its intersection with the East line of the Northeast 1/4 of Section 1, T31N, R12E, Allen County, Indiana, thence Northerly along said East line of the Northeast 1/4 of Section 1, to its intersection with the Southerly boundary of Reinig's Suburban Addition, thence Easterly along said Southerly boundary of Reinig's Suburban Addition and its Easterly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly along said Westerly right-of-way line of Auburn Road to its intersection with the Northerly right-of-way line of Dupont Road; thence Easterly along said Northerly right-of-way line of Dupont Road to its intersection with the Westerly right-of-way line of Diebold Road; thence Southerly and Southeasterly along said Westerly right-of-way line of Diebold Road and its Westerly prolongation of the Diebold Road right-of-way line to its intersection with the centerline of Leo Road; thence Northeasterly along said centerline of Leo Road to a point 39.50 chains Northeasterly from the intersection of the West line of Bouries Reserve with the center line of Leo Road; thence Southeasterly to a concrete corner post described in Deed Record 630 on page 255 in the office of the Recorder of Allen County, Indiana; thence South 17 degrees 40 minutes West to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 and as in file in the office of Honorable City Clerk of Fort Wayne, Indiana; thence Westerly with the meandering of the St. Joseph River and said existing City Limits Line to a point being on the existing City Limits line as established by Annexation Ordinance X-11-79 and as on file in the office of the City Clerk of Fort Wayne, Indiana; thence along said existing City Limits line North 33 degrees 29 minutes 30 seconds East to the next Easterly point on said existing City Limits line; thence continuing along said existing City Limits line North 56 degrees 32 minutes a distance of 700 feet; thence continuing along said City Limits line North 18 degrees West a distance of 800 feet; thence continuing along said City

Limits line North 70 degrees West a distance of 1,000 feet to its intersection with the West line of Bouries Reserve; thence continuing along said City Limits line Northerly along the West line of Bouries Reserve a distance of 636 feet to its intersection with the North line of Section 8, T31N, R13E, Allen County, Indiana; thence continuing along said City Limits line Westerly along said North line of Section 8 to the Easterly right-of-way line of Leo Road; thence continuing along said City Limits line Southwesterly along said Easterly right-of-way line of Leo Road to the point of beginning. An area of approximately 1,376 acres more or less.

To: Natka Eshcoff
From: Lisa Minnick
Subject: North III Annexation, Ordinance # X-03-95
Date: March 18, 1996

Per I.C. 36-4-3-22, please note that the North III Annexation was approved by the Common Council of Fort Wayne on December 19, 1995, and signed by the Mayor on December 20, 1995. This annexation was duly published on January 3, 1996 and January 10, 1996. This annexation has successfully passed the 60 day remonstrance period. **Please note, this annexation will become effective on December 31, 2002.**

If you have any questions concerning this annexation, please contact me at 427-2141. Thank you!

To: City Council

From: Pam Holocher

PH

Date: November 16, 1995

Subject: North III Annexation Ordinance and Resolution

X-95-11-09

Attached is the ordinance and resolution for the North III annexation area. The area is located just north of the current City limits and is approximately 1,376 acres in size. The area is proposed to become effective on December 31, 2002. We will be submitting a fiscal plan for your review prior to discussion.

MEMO

To: City Council
From: Pam Holocher
Subject: North III Annexation
Date: December 7, 1995



The North III Annexation area is located north of the City of Fort Wayne. It is approximately 1,376 acres in size. The current population of this area is approximately 191 persons. Most of the land is currently either vacant/open space or right-of-way. However, because there have been numerous inquiries regarding the extension of City utilities, it is anticipated that many of the vacant areas within the proposed annexation area will develop in the near future. There are also areas with residential, commercial, and industrial land uses.

The North III Annexation area is a continuation of our annexation efforts on the north side of the City. The western and northern boundaries of this annexation are adjacent to the North II Annexation area which is anticipated to be incorporated as of December 31, 2002. In conjunction with the North II Annexation, the North III area has a proposed effective date of *December 31, 2002*.

In addition, Plan Commission members unanimously voted during their November 27th business meeting to approve this annexation.

A member of the Planning Department will be on hand during Council discussion to present this plan. If you have any questions, please feel free to contact me at 427-1140.

VIRGINIA L. YOUNG
RECORDER
ALLEN COUNTY, IN

Rcpt No 4169

03/21/1996 09:30:18

Time: 09:30:20

Doc# 960014879 Miscellaneous

Book/Page RE 3022/2353

Page Count 6

Subtotal 0.00

Receipt Total 0.00

Amount Received

Cash	0.00
Check	0.00
Charge	0.00
Total	0.00

Thank You!

SANDRA E KENNEDY/CITY CLERK/DOC STAYS
OFFICE

RECORDED
03/21/1996 09:30:20
RECORDER
VIRGINIA L. YOUNG
ALLEN COUNTY, IN

Bill No. X-95-11-09

ANNEXATION ORDINANCE NO. X- 03-95

AN ORDINANCE annexing certain territory commonly known as the North III Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2 and No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A fractional part of the Southeast Quarter of Section 1 and the East Half of Section 12 in Township 31 North, Range 12 East (Washington Township); and part of Section 5, Section 6, Section 7, Section 8 and the Northwest Quarter of Section 18 in Township 31 North, Range 13 East (Saint Joseph Township); and a fractional part of the Southeast Quarter of Section 34 and fractional South Half of Section 35 in Township 32 North, Range 12 East (Perry Township); all in Allen County, Indiana, described as follows:

Beginning at the intersection of the Easterly right-of-way line of Leo Road with the Southeasterly prolongation of the Southerly right-of-way line of Auburn Road as presently established; thence Northwesternly, along said prolongation and the Southerly right-of-way line of Auburn Road being the current City Limits to its intersection with the Westerly right-of-way line of Interstate Highway (I) 69; thence Northeasterly, along said Westerly right-of-way line of I 69 to its intersection with the Northerly boundary of Auburn Farms - Section II; thence Westerly, along said Northerly boundary of Auburn Farms - Section II to the Northwest corner of Lot 67, Auburn Farm - Section II and its intersection with the North line of the South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 7, T31N, R13E, Allen County, Indiana; thence Westerly along said North line and its Westerly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly and Northeasterly along said Westerly right-of-way line of Auburn Road to its intersection with the North line of the Southwest $\frac{1}{4}$ of Section 6, T31N, R13E, Allen County, Indiana; thence Westerly along said North line to its intersection with the East line of the Northeast $\frac{1}{4}$ of Section 1, T31N, R12E, Allen County, Indiana, thence Northerly along said East line of the Northeast $\frac{1}{4}$ of Section 1, to its intersection with the Southerly boundary of Reinig's Suburban Addition, thence Easterly along said Southerly boundary of Reinig's Suburban Addition and its Easterly prolongation to its intersection with the Westerly right-of-way line of Auburn Road; thence Northerly along said Westerly right-of-way line of Auburn Road to its intersection with the Northerly right-of-way line of Dupont Road; thence Easterly along said Northerly right-of-way line of Dupont Road to its intersection with the Westerly right-of-way line of

1 Diebold Road; thence Southerly and Southeasterly along
2 said Westerly right-of-way line of Diebold Road and its
3 Westerly prolongation of the Diebold Road right-of-way
4 line to its intersection with the centerline of Leo
5 Road; thence Northeasterly along said centerline of Leo
6 Road to a point 39.50 chains Northeasterly from the
7 intersection of the West line of Bouries Reserve with
8 the center line of Leo Road; thence Southeasterly to a
9 concrete corner post described in Deed Record 630 on
10 page 255 in the office of the Recorder of Allen County,
11 Indiana; thence South 17 degrees 40 minutes West to the
12 centerline of the St. Joseph River and the existing
13 City Limits line as established by Annexation Ordinance
14 X-01-89 and as in file in the office of Honorable City
15 Clerk of Fort Wayne, Indiana; thence Westerly with the
16 meandering of the St. Joseph River and said existing
17 City Limits Line to a point being on the existing City
18 Limits line as established by Annexation Ordinance X-
19 11-79 and as on file in the office of the City Clerk of
20 Fort Wayne, Indiana; thence along said existing City
21 Limits line North 33 degrees 29 minutes 30 seconds East
22 to the next Easterly point on said existing City Limits
23 line; thence continuing along said existing City Limits
24 line North 56 degrees 32 minutes a distance of 700
25 feet; thence continuing along said City Limits line
26 North 18 degrees West a distance of 800 feet; thence
27 continuing along said City Limits line North 70 degrees
28 West a distance of 1,000 feet to its intersection with
29 the West line of Bouries Reserve; thence continuing
30 along said City Limits line Northerly along the West
31 line of Bouries Reserve a distance of 636 feet to its
32 intersection with the North line of Section 8, T31N,
R13E, Allen County, Indiana; thence continuing along
said City Limits line Westerly along said North line of
Section 8 to the Easterly right-of-way line of Leo
Road; thence continuing along said City Limits line
Southwesterly along said Easterly right-of-way line of
Leo Road to the point of beginning. An area of
approximately 1376 acres more or less. (see Exhibit A)


SECTION 2. That the City of Fort Wayne will
furnish the above described territory within a period
of one (1) year from the effective date of annexation,
planned services of a non-capital nature, including
police protection, fire protection, and street and road
maintenance, in a manner which is equivalent in
standard and scope to those non-capital services
provided to areas within the City of Fort Wayne which
have similar topography, patterns of land utilization
and population density to the said described territory.
The City of Fort Wayne will also provide services of a
capital improvement nature, including street
construction, street lighting, sewer facilities, water
facilities and stormwater drainage facilities to the

1 annexed territory within three (3) years of the
2 effective date of annexation, in the same manner as
3 such services are provided to areas already in the City
4 of Fort Wayne with similar topography, patterns of land
5 utilization and population density, and in a manner
6 consistent with federal, state and local laws,
7 procedures and planning criteria.

8 SECTION 3. That governmental and proprietary
9 services will be provided to the above described
10 territory in a manner consistent with the written
11 Fiscal Plan for the territory developed by the Division
12 of Community and Economic Development. Said Plan was
13 examined by the Common Council of the City of Fort
14 Wayne and is approved and adopted by the Common Council
15 by and upon the passage of this Ordinance. Two copies
16 of said plan are on file in the office of the Clerk of
17 the City of Fort Wayne and are available for inspection
18 as required by law.

19 SECTION 4. That said described territory shall be
20 temporarily assigned to Councilmanic Political Wards
21 No. 2 and No. 3 of the City of Fort Wayne, Indiana, as
22 described in Division I, Section 2-9 of Chapter 2 of
23 the Municipal Code of the City of Fort Wayne, Indiana
24 of 1974, as amended. This assignment is subject to
25 redistricting pursuant to I. C. 36-4-6-3 (g).
26
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1 SECTION 5. That, after adoption and any and all
2 necessary approval by the Mayor, this Ordinance shall
3 be published as provided for in I. C. 36-4-3-7. The
4 above mentioned territory shall become part of the City
5 of Fort Wayne on December 31, 2002.

6
7 
8 COUNCIL MEMBER

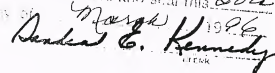
9 APPROVED AS TO FORM AND LEGALITY

10
11 
12 J. TIMOTHY MCCAULEY, CITY ATTORNEY
13
14
15
16
17
18
19

20 Attest

21 The above and foregoing is a true and
22 perfect copy of Bill No. X-85-11-0
23 Amendatory Ordinance No. X-03-
24 as the same appears and remains on
25 record in my office.

26 Witness my hand and seal this 20th

27 day of March 1996
28 
29 CLERK

30 AUDITOR'S OFFICE
31 FILED
32 MAR 21 1996

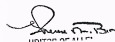
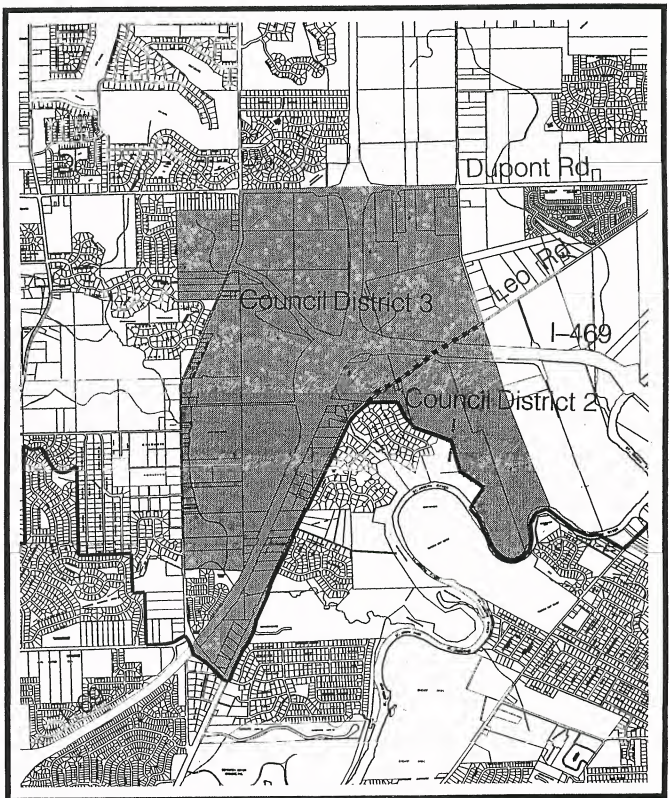

AUDITOR

Exhibit A



Read the first time in full and on motion by Ramo, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 11-14-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ramo, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>	<u>1</u>		<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY		<u>✓</u>		<u>✓</u>
LONG		<u>✓</u>		
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-19-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 03-95 on the 19th day of December, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schneider
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of December, 1995, at the hour of 3:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of December, 1995, at the hour of 3:30 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

December 29, 1995

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of January 3 and January 10, 1995, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Annexation Ordinance No. X-03-95
North III Annexation Area

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 19th day of
DECEMBER, 19 95, the Common Council of the City
of Fort Wayne, Indiana, in a SPECIAL Session did pass
the following Bill No. X-95-11-9 ANNEXATION
Ordinance No. X-03-95 to-wit:

Bill No. X-95-11-09

ANNEXATION ORDINANCE NO. X- 03-95

AN ORDINANCE annexing certain
territory commonly known as the
North III Annexation Area to Fort
Wayne and including the same in
Councilmanic District No. 2 and No.
3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory
be and the same is hereby annexed to, and made a part
of, the corporation of the City of Fort Wayne, Indiana,
to-wit:

A fractional part of the Southeast Quarter of Section 1
and the East Half of Section 12 in Township 31 North,
Range 12 East (Washington Township); and part of
Section 5, Section 6, Section 7, Section 8 and the
Northwest Quarter of Section 18 in Township 31 North,
Range 13 East (Saint Joseph Township); and a fractional
part of the Southeast Quarter of Section 34 and
fractional South Half of Section 35 in Township 32
North, Range 12 East (Perry Township); all in Allen
County, Indiana, described as follows:

Beginning at the intersection of the Easterly right-of-
way line of Leo Road with the Southeasterly
prolongation of the Southerly right-of-way line of
Auburn Road as presently established; thence
Northwesterly, along said prolongation and the
Southerly right-of-way line of Auburn Road being the
current City Limits to its intersection with the
Westerly right-of-way line of Interstate Highway (I)
69; thence Northeasterly, along said Westerly right-of-
way line of I 69 to its intersection with the Northerly
boundary of Auburn Farms - Section II; thence Westerly,
along said Northerly boundary of Auburn Farms - Section
II to the Northwest corner of Lot 67, Auburn Farm -
Section II and its intersection with the North line of
the South $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 7, T31N,
R13E, Allen County, Indiana; thence Westerly along said
North line and its Westerly prolongation to its
intersection with the Westerly right-of-way line of
Auburn Road; thence Northerly and Northeasterly along
said Westerly right-of-way line of Auburn Road to its
intersection with the North line of the Southwest $\frac{1}{4}$
of Section 6, T31N, R13E, Allen County, Indiana; thence
Westerly along said North line to its intersection with
the East line of the Northeast $\frac{1}{4}$ of Section 1, T31N,
R12E, Allen County, Indiana, thence Northerly along
said East line of the Northeast $\frac{1}{4}$ of Section 1, to
its intersection with the Southerly boundary of
Reinig's Suburban Addition, thence Easterly along said
Southerly boundary of Reinig's Suburban Addition and
its Easterly prolongation to its intersection with the
Westerly right-of-way line of Auburn Road; thence
Northerly along said Westerly right-of-way line of
Auburn Road to its intersection with the Northerly
right-of-way line of Dumont Road; thence

Diebold Road; thence Southerly and Southeasterly along said Westerly right-of-way line of Diebold Road and its Westerly prolongation of the Diebold Road right-of-way line to its intersection with the centerline of Leo Road; thence Northeasterly along said centerline of Leo Road to a point 39.50 chains Northeasterly from the intersection of the West line of Bouries Reserve with the center line of Leo Road; thence Southeasterly to a concrete corner post described in Deed Record 630 on page 255 in the office of the Recorder of Allen County, Indiana; thence South 17 degrees 40 minutes West to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 and as in file in the office of Honorable City Clerk of Fort Wayne, Indiana; thence Westerly with the meandering of the St. Joseph River and said existing City Limits Line to a point being on the existing City Limits line as established by Annexation Ordinance X-11-79 and as on file in the office of the City Clerk of Fort Wayne, Indiana; thence along said existing City Limits line North 33 degrees 29 minutes 30 seconds East to the next Easterly point on said existing City Limits line; thence continuing along said existing City Limits line North 56 degrees 32 minutes a distance of 700 feet; thence continuing along said City Limits line North 18 degrees West a distance of 800 feet; thence continuing along said City Limits line North 70 degrees West a distance of 1,000 feet to its intersection with the West line of Bouries Reserve; thence continuing along said City Limits line Northerly along the West line of Bouries Reserve a distance of 636 feet to its intersection with the North line of Section 8, T31N, R13E, Allen County, Indiana; thence continuing along said City Limits line Westerly along said North line of Section 8 to the Easterly right-of-way line of Leo Road; thence continuing along said City Limits line Southwesterly along said Easterly right-of-way line of Leo Road to the point of beginning. An area of approximately 1376 acres more or less. (see Exhibit A)

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the

annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Wards No. 2 and No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

1 SECTION 5. That, after adoption and any and all
2 necessary approval by the Mayor, this Ordinance shall
3 be published as provided for in I. C. 36-4-3-7. The
4 above mentioned territory shall become part of the City
5 of Fort Wayne on December 31, 2002.

6
7 *Rebecca J. Ravine*
8 COUNCIL MEMBER
 REBECCA J. RAVINE

Read the third time in full and on motion by Ravine, and duly adopted,
placed on its passage. PASSED by the following vote:

AYES: Seven
 Bradbury, Edmonds, GiaQuinta, Lunsey,
 Ravine, Schmidt, Talarico
NAYS: One
 Long
ABSTAINED: None
ABSENT: One
 Henry

DATED: 12-19-95

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as Annexation Ordinance No. X-03-95 on the 19th day of December, 1995

ATTEST:

SEAL

Sandra E. Kennedy
City Clerk

Don J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
20th day of December, 1995, at the hour of 3:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 20th day of December, 1995, at the hour
of 3:30 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
ANNEXATION Ordinance No. X-03-95,
passed by the Common Council on the 19th day of
DECEMBER, 19 95, and that said Ordinance was
duly signed and approved by the Mayor on the 20th day of
DECEMBER, 19 95, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 20th day of DECEMBER, 19 95.

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

FW COMMON COUNCIL
(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

Notice is hereby given that on the 19th day of DECEMBER, 1995, the Common Council of the City of Fort Wayne, Indiana, in a SPECIAL Session did pass the following bill NO. X-95-11-9 ANNEXATION Ordinance No. X-03-95

BILL NO. X-95-11-09

ANNEXATION ORDINANCE NO. X-03-95

AN ORDINANCE annexing certain territory commonly known as the North II Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2 and No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A fractional part of the Southwest Quarter of Section 1 and the East Half of Section 12 in Township 31 North, Range 12 East (Washington Township); and part of Section 5, Section 6, Section 7, Section 8 and the Northwest Quarter of Section 19 in Township 31 North, Range 13 East (Saint Joseph Township); and a fractional part of the Southeast Quarter of Section 34 and fractional South Half of Section 35 in Township 32 North, Range 12 East (Perry Township); all in Allen County, Indiana, described as follows:

Beginning at the intersection of the Eashtary right-of-way line of Leo Road with the Southeastly prolongation of the Southerly right-of-way line of Auburn Road as presently established; thence Northwestwesterly, along said prolongation and the Southerly right-of-way line of Auburn Road being the current City Limits to its intersection with the Westary right-of-way line of Interstate Highway 10 (I) 69; thence Northwesterly, along said Westary right-of-way line of I-69 to its intersection with the Northerly boundary of Auburn Farms - Section 8, thence Westary, along said Northerly boundary of Auburn Farms - Section II to the Northwest corner of Lot 67, Auburn Farm - Section II and its intersection with the North line of the South 1/4 of the Southwest 1/4 of Section 7, T31N, R13E, Allen County, Indiana; thence Westary along said North line and its Westary prolongation to its intersection with the Westary right-of-way line of Auburn Road, thence Northwesterly, along said Westary right-of-way line of Auburn Road to its intersection with the North line of the Southwest 1/4 of Section 5, T31N, R13E, Allen County, Indiana; thence Westary along said North line to its intersection with the East line of the Northeast 1/4 of Section 12, T31N, R12E, Allen County, Indiana; thence Northwesterly along said East line of the Northeast 1/4 of Section 12 to its intersection with the Southerly boundary of Paine's Suburban Addition, thence Eastary along said Southerly boundary of Paine's Suburban Addition to its Eastary prolongation to its intersection with the Westary right-of-way line of Auburn Road; thence Northwesterly, along said Westary right-of-way line of Auburn Road to its intersection with the Northerly right-of-way line of Dupont Road, thence Eastary along said Northerly right-of-way line of Dupont Road to its intersection with the Westary right-of-way line of Diebold Road; thence Southerly and Southeastwesterly along said Westary right-of-way line of Diebold Road and its Westary prolongation of the Diebold Road right-of-way line to its intersection with the centerline of Leo Road; thence Northwesterly along said centerline of Leo Road to a point 39.50 chains Northwesterly from the center line of Leo Road; thence Southeastwesterly to the corner post described in the plat of the 630 on page 255 in the office of the Recorder of Allen County, Indiana; thence South 17 degrees 40 minutes West to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 and as in file in the office of Honorable City Clerk of Fort Wayne, Indiana; thence Westary with the meandering of the St. Joseph River and said existing City Limits line to a point being on the existing City Limits line as established by Annexation Ordinance X-11-79 and as on file in the office of the City Clerk of Fort Wayne, Indiana; thence along said existing City Limits line North 33 degrees 29 minutes 30 seconds East to the nearest point on said existing City Limits line; thence continuing along said existing City Limits line North 22 degrees 32 minutes 30 seconds East to the nearest point on said existing City Limits line; thence continuing along said City Limits line North 18 degrees West a distance of 800 feet; thence continuing along said City Limits line North 70 degrees West a distance of 1,000 feet to its intersection with the West line of Bouries Reserve; thence continuing along said City Limits line Northwesterly along the West line of Bouries Reserve a distance of 636 feet to its intersection with the North line of Section 8, T31N,

R13E, Allen County, Indiana; thence continuing along said City Limits line Westary along said North line of Section 8 to the Eastary right-of-way line of Leo Road; thence continuing along said City Limits line Southwestwesterly along said Eastary right-of-way line of Leo Road to the point of beginning. An area of approximately 1376 acres more or less. (see Exhibit A)

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was submitted by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Districts Ward No. 2 and No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to readjusting pursuant to I. C. 36-4-4-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on December 31, 1996.

COUNCIL MEMBER
REBECCA J. RAVINE

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven

Bradbury, Edmonds, Glazucha, Lunsey, Ravine, Schmidt, Talerico
NAYS: One
Long
ABSENT: None
Absent: One
Henry
DATED: 12-19-95

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-03-95 on the 19th day of December, 1995.

ATTEST:
Don J. Schmidt
Prasiding Officer
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of December, 1995, at the hour of 3:00 o'clock P.M.E.S.T.
Sandra E. Kennedy
City Clerk

Approved and signed by me this 20th day of December, 1995, at the hour of 3:30 o'clock P.M.E.S.T.

Paul Haimke Mayor
Mayor

I, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above is a true and correct copy of the Ordinance No. X-03-95, PASSED by the Common Council on the 19th day of DECEMBER, 1995, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 20th day of DECEMBER, 1995.

Sandra E. Kennedy
City Clerk
1-3-10
#103852 (PART 2 OF 2) #992

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t no part of the

Clerk

ATTEST

otary public in and for said county and state, the

who, being duly sworn, says that he/

The Journal-Gazette newspaper of general

in the English language in the (city) (town) of

county aforesaid, and that the printed matter

which was duly published in said paper for

es of publication being as follows:

10-1996

his 10th day of JAN, 1996.

Notary Public

RY L SCHNEIDER
PUBLIC STATE OF INDIANA
ALLEN COUNTY
SSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

216 lines, 1 columns wide equals 216 equivalent lines
at .52 cents per line

\$ 112.32

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

1.00

TOTAL AMOUNT OF CLAIM

\$ 113.32

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JAN 10, 19 96

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
(ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time _____, the dates of publication being as follows:

1-3-10-1996

Subscribed and sworn to before me this 12th day of JAN, 1996.

Notary Public

MARY L SCHNEIDER

My commission expires: NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

MY COMMISSION EXP JUNE 14,1997

FW COMMON COUNCIL
(Governmental Unit)
ALLEN

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

Notice is hereby given that on the 19th day of DECEMBER, 1995, the Common Council of the City of Fort Wayne, Indiana, in a SPECIAL Session did pass the following bill NO. X-95-11-9 ANNEXATION Ordinance No. X-03-95

Bill No. X-95-11-09

ANNEXATION ORDINANCE NO. X-03-95

AN ORDINANCE annexing certain territory commonly known as the North III Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2 and No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A fractional part of the Southeast Quarter of Section 1 and the East Half of Section 12 in Township 31 North, Range 12 East (Washington Township); and part of Section 5, Section 6, Section 7, Section 8 and the Northwest Quarter of Section 16 in Township 31 North, Range 13 East (Saint Joseph Township); and a fractional part of the Southeast Quarter of Section 34 and fractional South Half of Section 35 in Township 32 North, Range 12 East (Perry Township); all in Allen County, Indiana, described as follows:

Beginning at the intersection of the Eastern right-of-way line of Leo Road with the Southeastern prolongation of the Southern right-of-way line of Auburn Road as presently established; thence Northwestwesterly, along said prolongation and the Southern right-of-way line of Auburn Road being the current City Limits to its intersection with the Western right-of-way line of Interstate Highway (I) 69; thence Northeastern, along said Western right-of-way line of I 69 to its intersection with the Northern boundary of Auburn Farms - Section II; thence Western, along said Northern boundary of Auburn Farms - Section II to the Northwest corner Lot 67, Auburn Farm - Section II and its intersection with the North line of the South 1/2 of the Southwest 1/4 of Section 7, T31N, R13E, Allen County, Indiana; thence Western, along said North line and its Western prolongation to its intersection with the Western right-of-way line of Auburn Road; thence Northeastern, along said Western right-of-way line of Auburn Road to its intersection with the North line of the Southwest 1/4 of Section 6, T31N, R13E, Allen County, Indiana; thence Western, along said North line to its intersection with the East line of the Northeast 1/4 of

two actual lines, neither of which shall total in which the body of the advertisement is set)

ms wide equals 216 equivalent lines

\$ 112.32

aining rule or tabular work

tion (\$1.00 for each proof in excess of two)

1.00

\$ 113.32

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thence Northernly along said East line of the Northeast 1/4 of Section 1, to its intersection with the Southern boundary of Rang's Suburban Addition; thence Easternly along said Southern boundary of Rang's Suburban Addition and its Easternly prolongation to its intersection with the Western right-of-way line of Auburn Road; thence Northernly along said Western right-of-way line of Auburn Road to its Dupont Road; thence Easternly along said Northern right-of-way line of Dupont Road to its intersection with the Western right-of-way line of Deobold Road; thence Southernly and Southeasternly along said Western right-of-way line of Deobold Road and its Western prolongation of the Deobold Road right-of-way line to its intersection with the centerline of Leo Road; thence Northernly along said centerline of Leo Road to a point 39.50 chs Northwesterly from the intersection of the West line of Bourne Reservoir with the center line of Leo Road; thence Southeasterly to a concrete corner post described in Deed Record 630 on page 255 in the office of the Recorder of Allen County, Indiana; thence South 17 degrees 40 minutes West to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 and as in file in the office of Honorable City Clerk of Fort Wayne, Indiana; thence Westernly with the meandering of the St. Joseph River and said existing City Limits line to a point being on the existing City Limits line as established by Annexation Ordinance X-11-79 and as on file in the office of the City Clerk of Fort Wayne, Indiana; thence along said existing City Limits line North 33 degrees 29 minutes 30 seconds East to the next Easternly point on said existing City Limits line; thence continuing along said existing City Limits line North 56 degrees 32 minutes 4 seconds East to the next Easternly point on said existing City Limits line North 16 degrees West a distance of 600 feet; thence continuing along said City Limits line North 70 degrees West a distance of 1,000 feet to its intersection with the West line of Bourne Reservoir; thence continuing along said City Limits line Northernly along the West line of Bourne Reservoir a distance of 636 feet to its intersection with the North line of Section 7, T31N, R13E, Allen County, Indiana; thence continuing along said City Limits line Westernly along said North line of Section 7 to the Eastern right-of-way line of Leo Road; thence continuing along said City Limits line Southwesterly along said Eastern right-of-way line of Leo Road to the point of beginning of a distance of approximately 1378 acres more or less. (See Exhibit)

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-2 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to restricting pursuant to I. C. 36-4-6-3 (g).

Read the third time in full and on motion by RAYNE and duly adopted, passed and its passage, PASSED by the following vote:

AYES: Seven

Bradbury, Edmonds, GioQuinta, Lunsey,

Rayne, Schmidt, Telerico

NAYS: One

Lone

ABSENT: None

Henry

DATED: 12-19-95

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-03-95 on the 19th day of December, 1995

ATTEST:

Sandra E. Kennedy

City Clerk

Don J. Schmidt

Presiding Officer

Presented by to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of December, 1995, at the hour of 3:00 o'clock P.M.E.S.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 20th day of December, 1995, at the hour of 3:30 o'clock P.M.E.S.T.

Paul Halima Mayor

Mayor

I, The Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full true and complete copy of ANNEXATION Ordinance No. X-03-95, PASSED by the Common Council on the 19th day of DECEMBER, 1995, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 20th day of DECEMBER, 1995.

Sandra E. Kennedy

City Clerk

#103852(PART 2 OF 2) #992

1-3-10

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[Signature]
Clerk

AVIT

ry public in and for said county and state, the

who, being duly sworn, says that he/

he News-Sentinel newspaper of general

the English language in the (city) (town) of

ounty aforesaid, and that the printed matter

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of publication being as follows:

996

to day of , 19 96 .

[Signature]

Notary Public

MARY L SCHNEIDER

commission expires: NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14,1997

SECTION 3. That governmental and proprietary services will be provided to the aboves described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan has been examined by the Common Council of the City of Fort

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

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Notary Public

MARY L SCHNEIDER

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ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

SEEK one of the two criminal divi-
SA J. RAVINE
GIL MEMBER
1, 2002
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That could mean if Sims decides
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